

DRAFT
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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

172 NAC 58

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 58 DENTAL FACULTY LICENSES

001. SCOPE AND AUTHORITY. These regulations govern the licensure of dental faculty under the Nebraska Revised Statutes (Neb. Rev. Stats. §§ 38-1101 to 38-1152) of the Dentistry Practice Act and the Uniform Credentialing Act.

001.01 In addition to the requirements of 172 NAC 58, all dental faculty licensees are subject to 172 Nebraska Administrative Code (NAC) 56-009 Initial Anesthesia or Sedation Permit; and 172 NAC 10.

002. DEFINITIONS. Definitions are set out in the Dentistry Practice Act, the Uniform Credentialing Act, and these regulations.

002.01 ACCREDITED DENTAL EDUCATION INSTITUTION. A school or college of dentistry that is accredited by the Commission on Dental Accreditation of the American Dental Association, The Commission on Dental Accreditation of Canada, or similar organization as determined by the Board.

002.02 NON-ACCREDITED DENTAL EDUCATION INSTITUTION. A school or college of dentistry that is not accredited by the Commission on Dental Accreditation of the American Dental Association, The Commission on Dental Accreditation of Canada, or similar organization as determined by the Board.

002.03 OFFICIAL TRANSCRIPT. A transcript issued by and under the original seal of the educational institution.

002.04 POSTGRADUATE EDUCATION. Advanced dental education programs accredited by the Commission on Dental Accreditation of the American Dental Association, The Commission on Dental Accreditation of Canada, or similar organization as determined by the Board, which includes dental specialties, general practice residencies, and advanced education in general dentistry.

003. LICENSE REQUIREMENTS. To obtain a license an individual must submit a completed application provided by the Department and provide documentation demonstrating the applicant meets the requirements of Neb. Rev. Stat. §§ 38-1124, 172 NAC 10, and these regulations.

003.01 EDUCATION.

- (A) An official transcript from an accredited dental education institution showing the graduation date must be sent directly to the Department by the originating program or institution; or
- (B) Verification of graduation from a non-accredited dental education institution, sent directly from the originating program or institution to the Department and verification of completing two years of postgraduate education at an accredited dental education institution sent directly from the originating program or institution directly to the Department.

003.01(C) ADDITIONAL EDUCATION IN LIEU OF LICENSE OR POST GRADUATE EDUCATION. Applicants seeking licensure based on additional education must submit the requirements of NRS 38-1124 (6) to the Department for review by the Board of Dentistry.

003.02 EXAMINATION FROM AN ACCREDITED DENTAL EDUCATION INSTITUTION. Applicants seeking licensure based on graduation from an accredited dental education institution must:

- (A) Pass the jurisprudence examination administered by the Board of Dentistry that relates to the statutes and regulations that govern dentistry with an average score of 75 or above; and
- (B) Request certification be sent to the Department directly from the issuing jurisdiction for all licenses held by the applicant.

003.03 EXAMINATION FROM A NON-ACCREDITED DENTAL EDUCATION INSTITUTION. Applicants seeking licensure based on graduation from a non-accredited dental education institution must:

- (A) Pass the licensure examination Part I and Part II or the Integrated National Board Dental Examination given by the Joint Commission on National Dental Examinations (JCND E) or equivalent as determined by the Board of Dentistry with a score of 75 or above on each part of the examination; or
- (B) Submit proof of one of the following:
 - (i) Pass a specialty board as recognized by the national commission directly from the issuing institution; or
 - (ii) Certification from the institution at which such clinical specialty was practiced per Neb. Rev. Stat. § 38-1124(1); or
- (C) Submit proof of passing an examination administered by the National Dental Examining Board of Canada; and
- (D) Pass the jurisprudence examination administered by the Board of Dentistry that relates to the statutes and regulations that govern dentistry with an average score of 75 or above; and
- (E) Request certification be sent to the Department of all licenses held by the applicant directly from the issuing jurisdiction.

003.04 RECIPROCITY. To obtain a license based on reciprocity, an applicant must submit a complete application provided by the Department and provide documentation demonstrating the applicant meets the requirements of §38-129.02 and submit:

- (A) Verification of holding a current and valid credential as a Dental Faculty, for at least one year in another state, a territory of the United States, or the District of Columbia.
- (B) A copy of the regulations and statutes that specify the educational requirements, minimum work experience and clinical supervision requirements, if any, required for the credential when it was issued and verification of the applicant's completion of the requirements, including:
 - (i) An official transcript verifying completion of the education required, directly from the issuing institution; and
 - (ii) Evidence of the work experience and clinical supervision, if required, directly from the other jurisdiction;
- (C) Verification of passage of an examination for the credential, if required to obtain the credential in the other jurisdiction, sent directly by the issuing institution; or the other jurisdiction to the Department;
- (D) Verification that the credential has not been subject to revocation or any other disciplinary action or voluntarily surrendered while the applicant was under investigation for unprofessional conduct or any other conduct which would be subject to Neb. Rev. Stat. §38-178 if the conduct occurred in Nebraska or any other disciplinary action.
- (E) Information about any other credential the applicant has held and whether any disciplinary action has been taken against such credential. If disciplinary action has been taken documentation must be submitted showing the status of the action and whether the cause for the action has been corrected; and

003.04(F) RESIDENCY. All applicants receiving a license pursuant to 172 NAC 003.04 must submit documentation of establishing residency in Nebraska as required by Neb. Rev. Stat. §38-129.02. Such documentation must be submitted within 30 days of establishment of residency and consist of a rental or lease agreement with the signature of the owner or landlord and the applicant, a deed or title to residential real property with the name of the applicant as an owner, or documents with the name and address of the applicant such as mortgage bills, home utility bills, medical or employee documents or similar documents that show the applicant residing in Nebraska.

004. RENEWAL, WAIVER OF CONTINUING EDUCATION, AND INACTIVE STATUS. The applicant must meet the requirements set out in 172 NAC 10 and this chapter.

004.01 ADDITIONAL INFORMATION. Applicants must submit any other information as requested by the Board or Department.

005. CONTINUING EDUCATION. On or before March 1 of odd-numbered years dental faculty licensees must meet continuing education requirements found in 172 NAC 56-007 and 172 NAC 10, and submit proof of continued employment directly from the accredited school or college in accordance with NRS 38-1124(5).

006. GROUNDS FOR ACTION AGAINST A CREDENTIAL. A dental faculty license may be denied, refused renewal, or have other disciplinary measures taken against it for grounds specified in Neb. Rev. Stat. § 38-178, 172 NAC 10, or for unprofessional conduct.

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007. UNPROFESSIONAL CONDUCT. Unprofessional conduct is set out in Neb. Rev. Stat. § 38-179 and 172 NAC 56 and this chapter.

(A) Practicing a clinical discipline for which the licensee has not been approved.

008. REINSTATEMENT. For reinstatement, the applicant must meet the requirements set out in 172 NAC 10.

009. FEES. Fees are set out in 172 NAC 2.